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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/781014-Conf. 2283
		Filing Date	February 17, 2004
		First Named Inventor	Markus POMPEJUS
		Art Unit	1652
		Examiner Name	Christian L. Fronda
Total Number of Pages in This Submission		Attorney Docket Number	BGI-126CPCN

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO form SB/08; Certificate of Mailing; Copies of Three Hundred and Seventy Eight (378) References; Return Receipt Postcard
<div style="border: 1px solid black; padding: 2px; display: inline-block;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Maria Laccotripe Zacharakis, Ph.D., J.D.		
Date	October 2, 2006	Reg. No.	56,266

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: October 2, 2006

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL

For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT **(\$)** **180.00**

Complete if Known	
Application Number	10/781014-Conf. #2283
Filing Date	February 17, 2004
First Named Inventor	Markus Pompejus
Examiner Name	Christian L. Fronda
Art Unit	1652
Attorney Docket No.	BGI-126CPCN

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: **12-0080** Deposit Account Name: **Lahive & Cockfield, LLP**

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee

Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		<u>Fees Paid (\$)</u>
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>
50	25

Each independent claim over 3 (including Reissues)

200	100
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Multiple dependent claims

360	180
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<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- =	x	=	

<u>Multiple Dependent Claims</u>	
<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- =	x	=	

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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement

180.00

SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	56,266	Telephone	(617) 227-7400
Name (Print/Type)	Maria Laccotripe Zacharakis, Ph.D., J.D.			Date	October 2, 2006

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Signature: (Maria Laccotripe Zacharakis, Ph.D., J.D.)



Application No. (if known): 10/781014

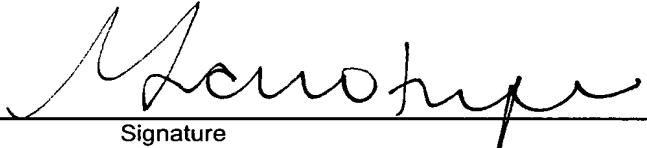
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Certificate of Mailing under 37 CFR 1.8

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56,266
Registration Number, if applicable

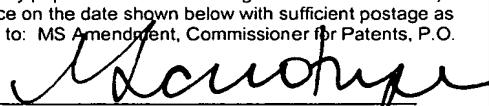
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Transmittal (1 page)
Fee Transmittal (1 page, in duplicate)
Supplemental Information Disclosure Statement (2 pages)
PTO form SB/08 (378 References) (19 pages)
This Certificate of Mailing (1 page)
Copies of Three Hundred and Seventy Eight (378) References
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Signature: 

(Maria Laccotripe Zacharakis, Ph.D., J.D.)

ZFL ✓
Docket No.: BGI-126CPCN
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Markus Pompejus *et al.*

Application No.: 10/781014

Confirmation No.: 2283

Filed: February 17, 2004

Art Unit: 1652

For: *CORYNEBACTERIUM GLUTAMICUM*
GENES ENCODING PROTEINS INVOLVED
IN CARBON METABOLISM AND ENERGY
PRODUCTION

Examiner: Christian L. Fronda

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (SIDS)

Dear Sir:

In accordance with 37 CFR 1.97, Applicants hereby make of record the following additional documents. A PTO Form SB/08 and a full copy of each of the documents required under 37 CFR 1.98(a)(2) accompany this statement.

This Supplemental Information Disclosure Statement is filed more than three months after the U.S. filing date, after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

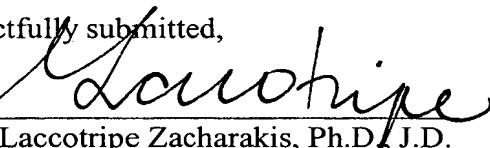
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 12-0080 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. BGI-126CPCN.

Dated: October 2, 2006

MLZ/MG/JGS/mch

Respectfully submitted,

By 
Maria Laccotripe Zacharakis, Ph.D., J.D.
Registration No.: 56,266
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Attorney/Agent For Applicant



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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/781014-Conf. #2283
<i>(Use as many sheets as necessary)</i>				Filing Date	February 17, 2004
				First Named Inventor	Markus POMPEJUS
				Art Unit	1652
				Examiner Name	Christian L. Fronda
Sheet	1	of	19	Attorney Docket Number	BGI-126CPCN

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY		
B1		EP-0204326-A2	12-10-1986	Kyowa Hakko Kogyo Co., Ltd.	
B2		JP-62232392	10-12-1987	Kyowa Hakko Kogyo Co., Ltd.	Abstr.
B3		JP-62244382	10-24-1987	Ajinomoto Co., Inc.	Abstr.
B4		EP-0358940-A1	03-21-1990	Degussa Aktiengesellschaft	
B5		JP-04278088	10-02-1992	Mitsubishi Petrochem Co., Ltd.	Abstr.
B6		JP-04330284	11-18-1992	Mitsubishi Petrochem Co., Ltd.	Abstr.
B7		JP-05030977	02-09-1993	Mitsubishi Petrochem Co., Ltd.	Abstr.
B8		JP-05056782	03-09-1993	Kyowa Hakko Kogyo Co. Ltd.	Abstr.
B9		JP-05076352	03-30-1993	Ajinomoto Co., Inc.	Abstr.
B10		JP-05184366	07-27-1993	Mitsubishi Petrochem Co. Ltd.	Abstr.
B11		JP-05184371	07-27-1993	Mitsubishi Petrochem Co., Ltd.	Abstr.
B12		JP-05284970	11-02-1993	Mitsubishi Petrochem Co., Ltd.	Abstr.
B13		JP-05284972	11-02-1993	Mitsubishi Petrochem Co., Ltd.	Abstr.
B14		JP-05344881	12-27-1993	Ajinomoto Co., Inc.	Abstr.
B15		JP-05344893	12-27-1993	Mitsubishi Petrochem Co., Ltd.	Abstr.
B16		JP-06062866	03-08-1994	Ajinomoto Co., Inc.	Abstr.
B17		JP-06169780	06-21-1994	Mitsubishi Petrochem Co., Ltd.	Abstr.
B18		JP-06261766	09-20-1994	Mitsubishi Petrochem Co., Ltd.	Abstr.
B19		JP-06277067	10-04-1994	Mitsubishi Petrochem Co., Ltd.	Abstr.
B20		JP-06277073	10-04-1994	Mitsubishi Petrochem Co., Ltd.	Abstr.
B21		JP-07031476	02-03-1995	Mitsubishi Chem	Abstr.
B22		JP-07031478	02-03-1995	Mitsubishi Chem	Abstr.
B23		JP-09028391	02-04-1997	Mitsubishi Chem	Abstr.
B24		JP-09070291	03-18-1997	Ajinomoto Co., Inc.	Abstr.
B25		JP-07075578	03-20-1995	Mitsubishi Chem	Abstr.
B26		JP-07075579	03-20-1995	Mitsubishi Chem	Abstr.
B27		WO-9519442-A1	07-20-1995	Forschungszentrum Jülich GMGH Möckel	Abstr.
B28		JP-09224661	09-02-1997	Mitsubishi Chem	Abstr.

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature	Date Considered
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Substitute for form 1449A/B/PTO				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				Application Number	10/781014-Conf. #2283
<i>(Use as many sheets as necessary)</i>				Filing Date	February 17, 2004
				First Named Inventor	Markus POMPEJUS
				Art Unit	1652
				Examiner Name	Christian L. Fronda
Sheet	2	of	19	Attorney Docket Number	BGI-126CPCN

NON PATENT LITERATURE DOCUMENTS						
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				T ²
	C1	Ankri, Serge, et al., "Mutations in the <i>Corynebacterium glutamicum</i> Proline Biosynthetic Pathway: a Natural Bypass of the <i>proA</i> Step," <i>Journal of Bacteriology</i> , Vol. 178(15):4412-4419 (1996)				
	C2	Billman-Jacobe, H., "Nucleotide sequence of a <i>recA</i> gene from <i>Corynebacterium glutamicum</i> ," <i>The Journal of Sequencing and Mapping</i> , Vol. 4:403-404 (1994)				
	C3	Bonamy, Celine, et al., "Identification of IS1206, a <i>Corynebacterium glutamicum</i> IS3-related insertion sequence and phylogenetic analysis," <i>Molecular Microbiology</i> , Vol. 14(3):571-581 (1994)				
	C4	Bonnassie, S., et al., "Nucleotide sequence of the <i>dapA</i> gene from <i>Corynebacterium glutamicum</i> ," <i>Nucleic Acids Research</i> , Vol. 18(21):6421 (1990)				
	C5	Börmann, E.R., et al., "Molecular analysis of the <i>Corynebacterium glutamicum</i> <i>gdh</i> gene encoding glutamate dehydrogenase," <i>Molecular Microbiology</i> , Vol. 6(3):317-326 (1992)				
	C6	Chen, Chian-Chi, et al., "The cloning and nucleotide sequence of a <i>Corynebacterium glutamicum</i> 3-deoxy-D-arabinoheptulonate-7-phosphate synthase gene," <i>FEMS Microbiology Letters</i> , Vol. 107:223-230 (1993)				
	C7	Cianciotto, Nicholas, et al., "DNA sequence homology between <i>attB</i> -related sites of <i>Corynebacterium diphtheriae</i> , <i>Corynebacterium ulcerans</i> , <i>Corynebacterium glutamicum</i> , and the <i>attP</i> site of γ -Corynephage," <i>FEMS Microbiology Letters</i> , Vol. 66:299-302 (1990)				
	C8	Correia, Antonio, et al., "Cloning and characterization of an IS-like element present in the genome of <i>Brevibacterium lactofermentum</i> ATCC 13869," <i>Gene</i> , Vol. 170:91-94 (1996)				
	C9	Dusch, Nicole, et al., "Expression of the <i>Corynebacterium glutamicum</i> <i>panD</i> Gene Encoding L-Aspartate- α -Decarboxylase Leads to Pantothenate Overproduction in <i>Escherichia coli</i> ," <i>Applied and Environmental Microbiology</i> , Vol. 65(4):1530-1539 (1999)				
	C10	Eikmanns, Bernhard J., et al., "Nucleotide sequence, expression and transcriptional analysis of the <i>Corynebacterium glutamicum</i> <i>gltA</i> gene encoding citrate synthase," <i>Microbiology</i> , Vol. 140:1817-1828 (1994)				
	C11	Eikmanns, Bernhard J., "Identification, Sequence Analysis, and Expression of a <i>Corynebacterium glutamicum</i> Gene Cluster Encoding the Three Glycolytic Enzymes Glyceraldehyde-3-Phosphate Dehydrogenase, 3-Phosphoglycerate Kinase, and Triosephosphate Isomerase," <i>Journal of Bacteriology</i> , Vol. 174(19):6076-6086 (1992)				
	C12	Eikmanns, Bernhard J., et al., "Cloning, Sequence Analysis, Expression, and Inactivation of the <i>Corynebacterium glutamicum</i> <i>icd</i> Gene Encoding Isocitrate Dehydrogenase and Biochemical Characterization of the Enzyme," <i>Journal of Bacteriology</i> , Vol. 177(3):774-782 (1995)				
	C13	GenBank Accession No. Z83866 for Deciphering the biology of <i>Mycobacterium tuberculosis</i> from the complete genome sequence, Cole, S.T. et al, 09/02/02				
	C14	Fitzpatrick, R., et al., "Construction and characterization of <i>recA</i> mutant strains of <i>Corynebacterium glutamicum</i> and <i>Brevibacterium lactofermentum</i> ," <i>Appl. Microbiol. Biotechnol.</i> , Vol. 42:575-580 (1994)				
	C15	Follettie, Max T., et al., "Molecular Cloning and Nucleotide Sequence of the <i>Corynebacterium glutamicum</i> <i>pheA</i> Gene," <i>Journal of Bacteriology</i> , Vol. 167(2):695-702 (1986)				
	C16	Fouet, Agnes, et al., "Bacillus subtilis sucrose-specific enzyme II of the phosphotransferase system: Expression in <i>Escherichia coli</i> and homology to enzymes II from enteric bacteria," <i>Proc. Natl. Acad. Sci.</i> , Vol. 84:8773-8777 (1987)				
	C17	Han, K.-S., et al., "The molecular structure of the <i>Corynebacterium glutamicum</i> threonine synthase gene," <i>Molecular Microbiology</i> , Vol. 4(10):1693-1702 (1990)				

Examiner Signature	Date Considered
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				Examiner Name	Christian L. Fronda
Sheet	3	of	19	Attorney Docket Number	BGI-126CPCN

C18	Heery, D.M., et al., "Nucleotide sequence of the <i>Corynebacterium glutamicum trpE</i> gene," <i>Nucleic Acids Research</i> , Vol. 18(23):7138 (1990)	
C19	Heery, D.M., et al., "Cloning of the <i>trp</i> Gene Cluster from a Tryptophan-Hyperproducing Strain of <i>Corynebacterium glutamicum</i> : Identification of a Mutation in the <i>trp</i> Leader Sequence," <i>Applied and Environmental Microbiology</i> , Vol. 59(3):791-799 (1993)	
C20	Heery, David M., et al., "A Sequence from a Tryptophan-Hyperproducing Strain of <i>Corynebacterium glutamicum</i> Encoding Resistance to 5-Methyltryptophan," <i>Biochemical and Biophysical Research Communications</i> , Vol. 201(3):1255-1262 (1994)	
C21	Honrubia, M.P., et al., "Identification, characterization, and chromosomal organization of the <i>ftsZ</i> gene from <i>Brevibacterium lactofermentum</i> ," <i>Mol. Gen. Genet.</i> , Vol. 259:97-104 (1998)	
C22	Ishino, Shuichi, et al., "Nucleotide sequence of the meso-diaminopimelate D-dehydrogenase gene from <i>Corynebacterium glutamicum</i> ," <i>Nucleic Acids Research</i> , Vol. 15(9):3917 (1987)	
C23	Jäger, Wolfgang, et al., "A <i>Corynebacterium glutamicum</i> Gene Conferring Multidrug Resistance in the Heterologous Host <i>Escherichia coli</i> ," <i>Journal of Bacteriology</i> , Vol. 179(7):2449-2451 (1997)	
C24	Jäger, Wolfgang, et al., "A <i>Corynebacterium glutamicum</i> gene encoding a two-domain protein similar to biotin carboxylases and biotin-carboxyl-carrier proteins," <i>Arch. Microbiol.</i> , Vol. 166:76-82 (1996)	
C25	Jakoby, Marc, et al., "Isolation of the <i>Corynebacterium glutamicum glnA</i> gene encoding glutamine synthetase I," <i>FEMS Microbiology Letters</i> , Vol. 154:81-88 (1997)	
C26	Jakoby, Marc, et al., "Nitrogen regulation in <i>Corynebacterium glutamicum</i> : isolation of genes involved and biochemical characterization of corresponding proteins," <i>FEMS Microbiology Letters</i> , Vol. 173:303-310 (1999)	
C27	Jetten, Mike S., et al., "Structural and Functional Analysis of Pyruvate Kinase from <i>Corynebacterium glutamicum</i> ," <i>Applied and Environmental Microbiology</i> , Vol. 60(7):2501-2507 (1994)	
C28	Joliff, G., et al., "Cloning and nucleotide sequence of the <i>csp1</i> gene encoding PS1, one of the two major secreted proteins of <i>Corynebacterium glutamicum</i> : the deduced N-terminal region of PS1 is similar to the <i>Mycobacterium</i> antigen 85 complex," <i>Molecular Microbiology</i> , Vol. 6(16):2349-2362 (1992)	
C29	Kalinowski, J., et al., "Genetic and biochemical analysis of the aspartokinase from <i>Corynebacterium glutamicum</i> ," <i>Molecular Microbiology</i> , Vol. 5(5):1197-1204 (1991)	
C30	Kalinowski, Jörn, et al., "Aspartokinase gene <i>lysCα</i> and <i>lysCβ</i> overlap and are adjacent to the aspartate β -semialdehyde dehydrogenase gene <i>asd</i> in <i>Corynebacterium glutamicum</i> ," <i>Mol. Gen. Genet.</i> , Vol. 224:317-324 (1990)	
C31	Keilhauer, Carmen, et al., "Isoleucine Synthesis in <i>Corynebacterium glutamicum</i> : Molecular Analysis of the <i>ilvB</i> - <i>ilvN</i> - <i>ilvC</i> Operon," <i>Journal of Bacteriology</i> , Vol. 175(17):5595-5603 (1993)	
C32	Kimura, Eiichiro, et al., "Molecular Cloning of a Novel Gene, <i>dtsR</i> , Which Rescues the Detergent Sensitivity of a Mutant Derived from <i>Brevibacterium lactofermentum</i> ," <i>Biosci. Biotech. Biochem.</i> , Vol. 60(10):1565-1570 (1996)	
C33	Kobayashi, Miki, et al., "Cloning, Sequencing, and Characterization of the <i>ftsZ</i> Gene from Coryneform Bacteria," <i>Biochemical and Biophysical Research Communications</i> , Vol. 236:383-388 (1997)	
C34	Kronemeyer, Wolfgang, et al., "Structure of the <i>gluABCD</i> Cluster Encoding the Glutamate Uptake System of <i>Corynebacterium glutamicum</i> ," <i>Journal of Bacteriology</i> , Vol. 177(5):1152-1158 (1995)	
C35	Lee, Heung-Shick, et al., "Molecular Characterization of <i>AceB</i> , a Gene Encoding Malate Synthase in <i>Corynebacterium glutamicum</i> ," <i>Journal of Microbiology and Biotechnology</i> , Vol. 4(4):256-263 (1994)	

Examiner Signature		Date Considered	
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